

Serial No. 10/662,485

PATENT  
Docket No. 56946.022800**REMARKS**

This amendment is directed to the Final Office Action mailed November 28, 2005. Claims 1, 15, 27, and 36 have been amended to more clearly distinguish over the cited references. Reconsideration is therefore earnestly solicited. Support for the claim amendments is found throughout Applicants' specification and particularly at paragraphs [0012] and [0014] and Figures 1-3.

**Rejections under 35 USC 103(a)**

Claims 1-5, 7-18, 22-29, 33-37, 39 and 40 stand rejected as unpatentable over Gordon, et al. in view of Staggs, et al. The examiner asserts that Gordon, et al. discloses an airspeed indicator having a linear scale wherein the hidden numbers 1 and 9 help to emulate the view of a mechanical drum gauge, however the scale in the scrolling airspeed tape is linear as opposed to non-linear. The examiner then applies Staggs, et al. to show a non-linear scale as seen in Figures 4-6c, and thus allegedly renders Applicants' claims obvious. The examiner's explanation regarding the hidden numbers 1 and 9 clarifies the undersigned attorney's understanding and is appreciated.

The examiner is respectfully requested to reconsider this position in view of the above amendments to Applicants' independent claims 1, 15, 27 and 36. Each of these claims now specifically recites "an electronic altitude tape having a scrolling non-linear scale emulating the view of a mechanical drum gauge." The examiner is respectfully requested to note that an actual mechanical drum gauge would appear, when viewed during scrolling movement, to have the tick marks at the upper and lower ends of the viewable region, that are close together, gradually moving farther apart as they come into central view, and moving closer together as they recede away from the central view, because of the perspective of the curved surface of the drum. When the scrolling electronic display of Applicants' invention emulates a mechanical drum gauge, it actually appears to be equal to or better than a mechanical drum gauge. Thus the tick mark spacings change as the tick marks approach into and recede from the central view. Thus it is a scrolling non-linear scale. Neither Gordon, et al. nor Scaggs, et al. does this.

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In Scaggs, et al., the non-linear scale does not move. There is no teaching of scrolling of the tape display. On the contrary, the triangular indicator 112 is what moves up and down alongside the tape 116 of Scaggs, et al. This is because the tape display 116 of Scaggs, et al. is a display of deviation from a desired parameter. If one were to properly combine the teachings of Scaggs, et al. with Gordon, et al., the Gordon, et al. tape would not appear to move. There is no suggestion in either reference of providing a set of non-linear scale tick marks that emulate those of a mechanical drum gauge. Accordingly this combination of references cannot render Applicants' invention obvious as set forth in Applicants' amended independent claims 1, 15, 27 and 36. Since claims 2-5, 7-14, 16-18, 22-26, 28, 29, 33-35, 37, 39, and 40 depend from one of these independent claims, they also are believed to patentably distinguish over the combination of Gordon, et al. and Scaggs, et al. It is respectfully submitted that this rejection should therefore be withdrawn.

Claims 6, 32, and 38 stand rejected under 35 USC 103(a) as unpatentable over Gordon, et al. in view of Staggs, et al. as applied to claims 1, 27 and 36 and further in view of Konicke, et al. Konicke, et al. is cited to show a shaped pointer. Konicke, et al. does disclose a shaped pointer, but again, like Gordon, et al., the rolling, i.e. scrolling, scale of the tape display 16 and 20 in Konicke, et al. is linear. The functionality of having a scrolling non-linear scale as in Applicants' amended claims is simply not taught by the cited combination of references. There is no real emulation of a mechanical drum. Accordingly, this rejection should be withdrawn.

Claims 19-21, 30 and 31 stand rejected under 35 USC 103(a) as unpatentable over Gordon, et al. in view of Staggs, et al. and further in view of Briffe, et al. Briffe, et al. is cited for teaching display of altitude in meters. While this may be true, Briffe, et al. does not teach the scrolling non-linear tape display as set forth in Applicants' amended independent claims 1, 15, 27 and 36. Briffe, et al. does show a non-linear tape in Figure 7, associated with a TCAS format display. See Column 9, lines 47-53. However, this patent does not disclose a scrolling non-linear tape display. The functionality of a scrolling non-linear scale as in Applicants' amended claims is simply not taught by the cited combination of references. Accordingly this rejection should be withdrawn.

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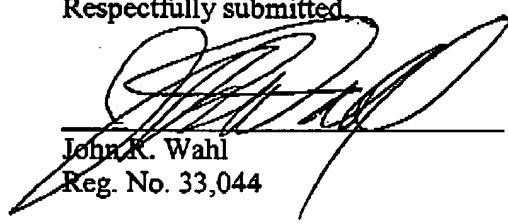
PATENT  
Docket No. 56946.022800**Conclusion**

Claims 1-40 remain pending in the application. These claims are believed to be fully allowable over the art of record. It is respectfully submitted that all of the Examiner's rejections have been addressed and successfully traversed and that the application is now in order for allowance. Reconsideration of the application and allowance thereof are courteously solicited in view of the above amendments and remarks. Should the Examiner have any remaining questions or concerns, he is urged to contact the undersigned attorney at the phone number listed below to expeditiously resolve those concerns.

The Director is authorized to charge any additional fee(s) or any underpayment of fee(s), or to credit any overpayments to Deposit Account Number 50-2638. Please ensure that Attorney Docket Number 56946.022800 is referred to when charging any payments or credits for this case.

Respectfully submitted,

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